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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 DAVID D. BUTLER,
10 Plaintiff,
11 v.
12 KEVEN BOWEN, et al.,
13 Defendant.

14 CASE NO. 2:24-cv-01071-KKE-BAT

15 **ORDER ADOPTING REPORT AND**
16 **RECOMMENDATION**

17 Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida,
18 United States Magistrate Judge, and the remaining record, and noting that no objection has been
19 filed, the Court finds and ORDERS:

- 20 (1) The Court ADOPTS the Report and Recommendation.
21 (2) Plaintiff's claims are dismissed without prejudice.
22 (3) Plaintiff's motion to proceed *in forma pauperis* (Dkt. 4) is stricken as moot.

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1 (4) The Clerk is directed to send copies of this Order to the parties and to Judge
2 Tsuchida.

3 (5)

4 Dated this 3rd day of September, 2024.

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8 Kymberly K. Evanson
9 United States District Judge